

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

DEBORAH R. DOUGLAS (NYBN 2099372)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7200  
Facsimile: (415) 436-7234  
E-Mail: [deborah.r.douglas@usdoj.gov](mailto:deborah.r.douglas@usdoj.gov)

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 12-820 EMC
	)	
v.	)	STIPULATION AND <del>[PROPOSED]</del>
	)	ORDER EXCLUDING TIME UNDER THE
ANDRE VIDEAU,	)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161
	)	<u>ET SEQ.</u>
Defendant.	)	
_____	)	

The United States of America, by and through its attorney of record, and defendant Anthony Decuir (“defendant”), by and through his attorney of record, hereby stipulate as follows:

1. On February 6, 2013, defendant appeared before the Honorable Edward M. Chen, United States District Judge, and the matter was continued to February 27, 2013 at 2:30 p.m. for an “open” guilty plea. For the reasons stated in court on February 6, 2013, and with defendant’s consent, the Court excluded time under the Speedy Trial Act from February 6, 2013 through February 27, 2013 to provide the defense lawyer with additional time for investigation and for effective preparation.

2. The parties stipulate and agree that this matter should be continued to February 27, 2013 and that the failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due

1 diligence. The parties further stipulate and agree that the time from February 6, 2013 through  
2 February 27, 2013 should be excluded in accordance with the provisions of the Speedy Trial Act,  
3 18 U.S.C. § 3161(h)(7)(A), on the basis that the ends of justice are served by taking such action  
4 which outweigh the best interest of the public and the defendant in a speedy trial and also under  
5 section (B)(iv) for effective preparation of counsel, taking into account the exercise of due  
6 diligence.

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8 Dated: February 7, 2013

MELINDA HAAG  
United States Attorney

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10 /s/  
DEBORAH R. DOUGLAS  
Assistant United States Attorney

11  
12 Dated: February 7, 2013

/s/  
ELIZABETH FALK, Esq.  
Attorney for Defendant Andre Videau

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ANDRE VIDEAU,	)	<u>SEQ.</u>
	)	
Defendant.	)	

GOOD CAUSE APPEARING, as the Court found on February 6, 2013, and based upon the parties' stipulation, IT IS HEREBY ORDERED that the time from February 6, 2013 through February 27, 2013 shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). The Court finds that (A) failure to grant the continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence; and (B) the ends of justice served by the

1 continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18  
2 U.S.C. § 3161(h)(1)(7)(A) & (B)(iv).

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4 **IT IS SO ORDERED.**

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6 Dated: February <sup>8</sup>\_\_\_\_, 2013

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